

### **REMARKS / DISCUSSION OF ISSUES**

Claims 1 – 11 and 14 – 20 are pending in the application. Claims 1 and 11 are independent.

In the present response, claims 1 and 11 are amended. The support for the claim amendments may be found in Applicant's specification, for example page 4, lines 14 – 19, lines 31-32, page 5, lines 14-23 and other places. No new matter is added.

#### **35 U.S.C. 102(e)**

Claims 1 – 11 and 14 – 20 are rejected under 35 U.S.C. 102(e) over Cimini, JR. et al. (US Publication No. 20030133427, hereinafter "Cimini").

Applicant submits that for at least the following reasons, claims 1 – 11 and 14 – 20 are patentable over Cimini.

For example, claim 1, in part, requires:

"determining an individually allocated transmission time for each of the wireless stations based on each of the wireless station's transmission requirements at a set physical transmission rate."

Cimini, apparently discloses that the packet size is chosen inversely proportional to the node data rate (paragraph [0042]), and that packet size is set so that the maximum transmission times of different data rates are approximately the same (paragraph [0050]). In contrast, the claimed invention requires an individually allocated transmission time for each of the wireless stations based on each of the wireless station's transmission requirements at a set physical transmission rate. Thus, the transmissions times of the wireless stations are not necessary approximately the same. The wireless stations have different set physical transmission rates because they have different needs and transmission requirements and thus different set transmission rates are needed for their respective different levels of Quality of Service. A wireless station could have a longer allocated transmission time if its needs are higher than others, thus the wireless stations in the claimed invention have individually

allocated transmission time base on the need, and thus are not required to have approximately equal transmission time.

In the Office Action, page 2, the Office alleged that in Cimini, page 3, paragraphs [0034] – [0037], the  $(t_1, t_2)$  are allotted transmission times based on transmission rates  $(R_1, R_2)$ . However, Applicant submits that  $(t_1, t_2)$  are not allocated times. In Cimini, paragraph [0034],  $(t_1, t_2)$  simply just denote the transmission times of nodes 1 and 2 in a IEEE 802.11 network, and they are used to illustrate a relationship between  $(t_1, t_2)$  and  $(R_1, R_2)$ , regarding the effect of overheads in IEEE 802.11 MAC performance. Furthermore, Cimini does not disclose that the individual allocation of transmission time depends on the need of the station. Therefore, Cimini fails to disclose the claimed feature: determining an individually allocated transmission time for each of the wireless stations based on each of the wireless station's transmission requirements at a set physical transmission rate.

In view of at least the foregoing, Applicant submits that claim 1 is patentable over Cimini.

Similarly, independent claim 11, in part, requires:

"the access point individually allocates a transmission time for each of the wireless stations based on each of the wireless station's transmission requirements at a set physical transmission rate that is fixed for the service interval."

Applicant essentially repeats the above arguments for claim 1 and applies them to claim 11 pointing out why Cimini fails to disclose that an individually allocated transmission time is based on each of the wireless station's transmission requirements at a set physical transmission rate and that individual transmission time is allocated based on each of the wireless station's transmission requirements. Therefore, claim 11 is patentable over Cimini.

Claims 2 – 10 and 14 – 20 are patentable because at least they respectively depend from claims 1 and 11, with each claim containing further distinguishing features.

Withdrawal of the rejection of claims 1 – 11 and 14 – 20 under 35 U.S.C. 102(e) is respectfully requested.

**Conclusion**

In view of the foregoing, Applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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